

A G E N D A



Recommendation for Council Action

Austin City Council	Item ID	7866	Agenda Number	33.
Meeting Date:	8/4/2011		Department:	Transportation
Subject				
Consider an appeal submitted by event promoter David Grice, president of Raceworks, Inc., of the Transportation Department Director's decision to deny a street event application because of the proposed route, for the Susan G. Komen Race for the Cure event scheduled for Sunday, November 13, 2011.				
Amount and Source of Funding				
Fiscal Note				
There is no unanticipated fiscal impact. A fiscal note is not required.				
Purchasing Language:				
Prior Council Action:	June 23, 2011; Agenda ID 7529, Agenda Number 106: Approve waiver of the requirements that allow affected individuals and neighborhood associations to object to a street closure under City Code Chapter 14-8 for the Susan G. Komen Race for the Cure, which is to be held on Sunday, November 13, 2011.			
For More Information:	W. Gordon Derr, 974-7228; Frances Hargrove, 974-7083; Gilda Powers, 974-7092			
Boards and Commission Action:	Reviewed by the Urban Transportation Commission.			
MBE / WBE:				
Related Items:				
Additional Backup Information				

David Grice, president of Raceworks, Inc., has submitted a street event application on January 14, 2011 for a City Code Chapter 14-8 closure permit for the following right-of-way event. The event is scheduled for Sunday, November 13, 2011.

Event Name: Komen Race for the Cure

Start Race: The proposed route starts at: 10th Street and Congress Avenue south to Barton Springs Drive, west to Riverside Drive to South 1st Street, north on South First Street to Cesar Chavez Street, east to Colorado Street, north to 10th Street, west to Lavaca Street, north to 11th Street, east to Colorado, north to 13th Street, west to Lavaca Street, north to 15th Street, east to San Jacinto Street, North to 18th Street finish line.

Streets Closed: Sunday, November 13, 2011 on Congress Avenue from 11th Street to 6th Street from 3:00 a.m. until 11:00 a.m.; Martin Luther King Boulevard from Guadalupe Street to San Jacinto Boulevard from 3:00 a.m. until 1:00 p.m. All other streets closed from 6:00 a.m. until 11:00 a.m.

Streets Open: 3:00 p.m. Sunday November 13, 2011

Event Times: 7:30 a.m. – 1:00 p.m. on November 13, 2011

The Transportation Department Director has denied the application based on the necessity to waive the Rules Requirements under City Code Chapter 14-8 Temporary Closure for a Right-of-Way Event Article 1. General Provisions 14-8-4 Right-of-Way Closure Rules and Compliance with Applicable Regulations (B), Article 2 Sections 2.01(A) and 2.03.

§ 14-8-16 DETERMINATION ON APPLICATION.

The director shall approve or deny an application and the route or location of a right-of-way event no later than the 30th calendar day after the director receives a completed application. The director shall state the reasons for the denial of an application.

Source: 1992 Code Sections 15-11-11(A) and 15-11-20(A); Ord. 031204-12; Ord. 031211-11; Ord. 20090430-025.

§ 14-8-17 APPEAL OF DENIAL OF APPLICATION.

(A) An applicant whose application is denied may file a written appeal with the director no later than the 5th working day after the applicant receives the notice of denial. Upon receipt of the appeal, the director shall submit the appeal to the Urban Transportation Commission, which shall hold a public hearing and provide a recommendation on the appeal.

(B) Following receipt of a recommendation under Subsection (A), the director shall submit an appeal for consideration by the city council. If the Urban Transportation Commission does not submit a recommendation within 25 days after the appeal is received by the director, the council may consider the appeal without a recommendation. If the council fails to act before the 30th day after the appeal is received by the director, the appeal is denied.

The applicant is in the process of complying with all other requirements for this right-of-way event. If Council approves the appeal submitted by the event promoter, the Austin Transportation Department recommends approval of this request contingent on the applicant meeting all other requirements of Chapter 14-8.

Fee Breakdown:

Street Event Application Fee □ **\$250.00**

Sound Permit Fee ☐ \$ 33.00

Safety Inspection Fee ☐ 2 Inspectors X \$38.00 per hour X 5 hours = \$380.00

Street Event Permit Fee - \$1500.00 (\$100 a block maximum 15 blocks per day)

Refundable Deposit ☐ \$2000.00

Total: \$4163.00